UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

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DAVID HURD, ET AL.,

C 08-3840 PVT

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Plaintiff(s),

CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

VS.

DAVID EVANS, ET AL.,

Defendant(s).

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The Clerk of this Court will now randomly reassign this case to a United States District Judge because one or more of the parties has requested reassignment to a United States District Judge or has not consented to jurisdiction by a Magistrate Judge.

PLEASE TAKE NOTICE that a Case Management Conference in the above-entitled matter which was previously set for December 9, 2008 before the Honorable Patricia V. Trumbull has been rescheduled for **December 12, 2008 at 10:30 a.m.,** before the Honorable Judge Jeremy Fogel. Parties are to appear in courtroom #3, 5th floor of the U.S. Courthouse, 280 South First Street, San Jose, California. Parties are to submit a Joint Case Management Statement on or before December 5, 2008.

If the above-entitled matter settles counsel are required to notify the Court by contacting the Courtroom Deputy at (408) 535-5166, so as to take this matter off calendar.

Dated: August 28, 2008

RICHARD W. WIEKING, Clerk of Court /s/ Corinne Lew

Corinne Lew Courtroom Deputy

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Case 5:08-cv-03840-JF Document 7 Filed 08/28/2008 Page 2 of 2 Copies mailed on 8/28/08 to: **David Evans** 10830 Minette Drive Cupertino, CA 95014 /s/ Corinne Lew Corinne Lew Courtroom Deputy to Magistrate Patricia V. Trumbull